IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.125 OF 2006

Shivaji Abhiman Roundal & Ors. .. Petitioner

Vs.

Waman Pandurang Chumbale & Ors. .. Respondents

Mr.C.J.Sawant, Senior Counsel with Mr.M.M.Dhumal i/b M/s.Jay and Co. for the petitioners

Mrs.Sharvari Shailendra with Mr.S.M.Sabrad for respondent no.1

Mr.S.R.Nargolkar, A.G.P.for respondent nos.2 and 3

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 1ST AUGUST, 2007

P.C.:

1. Heard. Rule.

2. By consent rule made returnable forthwith.

3. This petition is filed in Public Interest questioning the allotment of tender for excavation of the sand from Girna River in Nashik District.

4. The main contention of the petitioner is that there are more than 300 wells situated in the area and if excavation was permitted, the sand area would become dry due to scarcity of water which would affect the agricultural output of the area. According to the petitioner, if the sand excavation is allowed in Lohner and Thengoda area, all the 8 jack wells constructed in the river bed of the Girna River would collapse and investment of crores of rupees would be wasted.

5. The respondents have filed affidavit in reply of Shri Prashant Tamanna Kore, District Mining Officer at the Collector’s Office, Nashik. In his affidavit, it is stated that the necessary contract has been awarded after all the compliances and norms have been fulfilled.

6. We are further informed by the learned counsel for the parties that the contract being the subject matter of this petition has also come to an end.

7. In view of the above, nothing survives in the petition and the same is disposed of as infructuous.

(SHRI J.N. PATEL, J)

(SHRI A.A. SAYED, J)